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1103326-0250 (CON)

NOV 17 2006
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

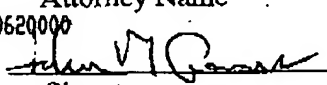
In re Application of : Depui, et al.
 Serial No. : 10/620,000
 Filed : July 14, 2003
 For : ORAL PHARMACEUTICAL DOSAGE
 FORMS COMPRISING A PROTON
 PUMP INHIBITOR AND A NSAID
 Examiner : Channavajjala, Lakshmi Sarda
 Group Art Unit : 1615

11/20/2006 MWOLDGE1 00000025 231703

01 FC:1401 500.00 DA

11/20/2006 MWOLDGE1 00000025 231703

02 FC:1253 1020.00 DA

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. 1.9 I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark Office on 17 November 2006 at the facsimile number 571-277-8300	
John M. Genova Attorney Name	32,224 PTO Reg. No.
 Signature	17 November 2006 Date of Signature

MAIL STOP AF

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Attention: Examiner Channavajjala, Lakshmi Sarda
 Pages: 3

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
 TO THE BOARD OF PATENT APPEALS AND INTERFERENCES
 (37 C.F.R. §1.191)**

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the final Office action, mailed 17 May 2006. The item(s) below are appropriate:

1. STATUS OF APPLICANTS

This application is on behalf of other than a small entity.

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. §1.17(b), the fee for filing the Notice of Appeal is \$500.00.

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FROM W&C LLP 19TH-FL.

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3. EXTENSION OF TERM

The proceedings herein are for a patent application and the provisions of 37 C.F.R. §1.136 apply.

- (a) ☒ Applicant petitions for an extension of time under 37 C.F.R. §1.136 (fees: 37 C.F.R. §1.17(a)(1-4)) for the total number of months checked below:

<u>Extension (months)</u>	<u>Fee for other than small entity</u>
<input type="checkbox"/> one month	\$120.00
<input type="checkbox"/> two months	\$450.00
<input checked="" type="checkbox"/> three months	\$1,020.00
<input type="checkbox"/> four months	\$1,590.00

Fee \$1,020.00

If an additional extension of time is required, please consider this a petition therefor.

- ☐ An extension for _____ month has already been secured by the Amendment after Final, filed _____. The fee paid therefor of _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$1,020.00

or

- (b) ☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee \$ 500.00

Extension fee (if any) \$ 1020.00

TOTAL FEE DUE \$ 1520.00

5. FEE PAYMENT

☐ Attached is a check in the sum of \$ _____.

☒ Charge Account No. 23-1703 the sum of \$ 1520.00.

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6. FEE DEFICIENCY

☒ If any additional extension and/or fee is required, charge Account No. 23-1703.

AND/OR

☐ If any additional fee for claims is required, charge Account No. 23-1703.

Dated: 17 November 2006

Respectfully submitted,



John M. Genova
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